

IN THE UNITED STATES DISTRICT COURT  
FOR DISTRICT OF PUERTO RICO

JOSE M. LORIE VELASCO, et al

Plaintiffs

v

KMART CORPORATION, et al

Defendants

CIVIL NO.: 1998-1867 (PG)

**JOINT MOTION REQUESTING TRIAL SET FOR FEBRUARY 14, 2005  
BE VACATED DUE TO FINAL SETTLEMENT NEGOTIATIONS**

TO THE HONORABLE COURT:

COME NOW, plaintiffs, Jose M. Lorie Velasco, Heidi R. Berrios de Lorie, the Conjugal Partnership formed by Jose M. Lorie Velasco, Heidi R. Berrios de Lorie, Heidi Marie Lorie Berrios, Gianine Susette Lorie Berrios, and Rolando Jose Santiago Berrios ("plaintiffs") and defendant, Kmart Corporation ("Kmart"), through their undersigned counsel, and very respectfully state and pray as follows:

1. On January 27, 2005, this Honorable Court set jury trial in the case of refetence. (See Docket No. 230)

2. Since then, the parties have engaged in further settlement negotiations which are now in a final stage. Therefore, the parties jointly request that the jury trial setting be vacated and that they be granted a ten (10) day term, that is, until February 25, 2005 to inform the Court of the result of the settlement negotiations and/or file a settlement agreement.

WHEREFORE, the parties respectfully request that the jury trial set for February

14, 2005 be vacated and that the parties are granted a term until February 25, 2005 to inform the final results of the settlement negotiations and/or file a settlement agreement.

**Certificate of Service:** It is hereby certified that on this date we electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will sent notification of such filing to the undersigned.

In San Juan, Puerto Rico, this \_\_\_ day of February, 2005.

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s/Marta E. Vila Baez  
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